

Notice of Allowability

Application No.

10/644,094

Examiner

Tramar Harper

Applicant(s)

SHINODA, TOMOHIRO

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/31/07.
2. ☒ The allowed claim(s) is/are 2-5, 7, 9-12, 14, 26-34 and 36-43.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

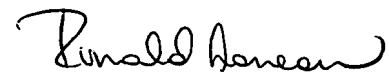
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


RONALD LANEAU
PRIMARY EXAMINER

DETAILED ACTION

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Patentability seen in, although not limited to Independent Claims 5, 12, 29, 31, & 38: the apparatus/system comprising a token and a figure for a gaming machine which a player plays a game by controlling a character. The token comprising an integrated circuit chip having a storage section for storing game initial data respective of the character controlled by the player. The token is attachable and detachable from a figure, wherein the figure's form identifies one of the selectable characters that can be controlled by the player of the said game. The game initial data is selectable from the identified character's data e.g. the game initial data is in regards to the character controllable within the game. The figure comprises a form identifying one of the characters used within the game. The figure has a base portion to which the form is attached and a token having an integrated circuit chip with a storage section for storing the game initial data being detachable and attachable to the base portion. The game machine reads the game initial data from the token when the figure with the token attached is set on the gaming machine. Furthermore, the game initial data has a bonus data set providing a predetermined profit within the game. Also, the gaming machine is configured to dispense, to the player based on progress of the play of the game, a game coin having a size and thickness corresponding to a coin slot for inserting the game coin into the gaming machine to commerce play for game and wherein the token is similar to the size and the thickness of the game coin. The closest prior art of record

does not teach or fairly suggest the claimed apparatus/system in combination. Chung (US 6,877,096) discloses a gaming environment wherein a token is introduced to an input device connected to a gaming console enable a range of functionality into a game. Chung discloses that the design of the input device 100, 105 (wherein the token is introduced and are three dimensional) may take the form of the nature of the game and be a control device. For example, for a racing car game the device may take the form of the player's racing car (character or figure) and the tokens may represent different parts of the car, such as engine, wheels, etc. The more tokens the greater the capabilities. Chung also discloses that each disc may correspond to a different weapon. The more discs that have been introduced, the more weapons a player has access to. Chung further discloses that each disc may correspond to a different database providing such game initial/conditional data. As such, this is interpreted as discs/tokens containing game initial data from a plurality of game initial/conditional data. Also in terms of the base portion in which one or more tokens are attachable/detachable from, Chung discloses the devices 100, 105 contain a top portion 107 and a bottom base portion 110. The one or more tokens may be attached on the upper surface of the base body portion of devices 100, 105. Chung discloses a 3d integrated circuit disk/token comprising of a RFID a microprocessor (figure 3 processor), a control gate array, storage or memory, and a connector. The token includes a stored character data set (Col. 5:1-14). However, Chung fails to disclose that the gaming machine reads the game initial data when the figure with token attached is set on the gaming machine. Chung fails to disclose that the game initial data includes a bonus data set for providing

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a predetermined profit in a game. Furthermore, Chung fails to disclose that the gaming machine is configured to dispense, to the player based on progress of the play of the game, a game coin having a size and thickness corresponding to a coin slot for inserting the game coin into the gaming machine to commerce play for game and wherein the token is similar to the size and the thickness of the game coin.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

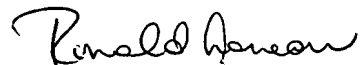
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ronald Laneau
Primary Patent Examiner
Art Unit 3714

TH

11/15/07